



HARTZ[®]

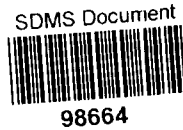
THE HARTZ CONSUMER GROUP, INC.

400 Plaza Drive, P.O. Box 1515, Secaucus, New Jersey 07096-1515

CURTIS L. MICHAEL
Member of NJ & NY Bars

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November 10, 2006



Via E-Mail and Certified Mail, R.R.R.

Sarah Flanagan, Esq.
Assistant Regional Counsel
United States Environmental Protection Agency
Office of the Regional Counsel, Region II
290 Broadway, 17th Floor
New York, New York 10007-1866

Re: In the Matter of the Lower Passaic River Study Area
Portion of the Diamond Alkali Superfund Site
Agreement Under Section 122(h) of CERCLA, 42 U.S.C. Section 9622
U.S. EPA Region 2; Site-Spill ID Number 02-96
CERCLA Docket No. 02-2004-2011

Dear Ms. Flanagan:

I write on behalf of The Hartz Consumer Group, Inc. ("THCG"), as successor to certain liabilities of The Hartz Mountain Corporation pursuant to a Stock Purchase Agreement date December 29, 2000.

I am responding on behalf of THCG to the September 11, 2006 General Notice Letter regarding the Lower Passaic River Study Area ("LPRSA").

THCG understands that EPA has entered into the above-referenced Settlement Agreement pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (the "Settlement Agreement"), effective as of June 22, 2004, with forty-three (43) companies (the "Settling Parties"). THCG has been provided with a copy of the Settlement Agreement and Amendment No. 1 thereto, made effective as of November 9, 2005, and is familiar with the related terms and conditions in these documents.

As requested by EPA, and without any admission of liability for the referenced matter, THCG has agreed to become a "cooperating party" by participating in the Lower Passaic River Study Area Cooperating Parties Group with the expectation that it will be permitted to become a Settling Party under the Settlement Agreement on the same terms and conditions provided under Amendment No. 1. THCG assumes that this statement of intent satisfies EPA's request that it

become a cooperating party for the CERCLA study of the LPRSA, as described in the referenced General Notice Letter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Curtis L. Michael". The signature is fluid and cursive, with the first name "Curtis" and last name "Michael" clearly distinguishable.

Curtis L. Michael

cc: Emily Won, Esq. (K&LNG)
William Hengemihle (LECG)
Max C. Marx, Esq. (THMC)